

## § 839.501

placed in FERS due to a qualifying retirement coverage error and you should have been in Social Security-Only, you may elect FERS or Social Security-Only. This is summarized in the following chart:

You are in:	And you belong in:	You may elect:
FERS .....	CSRS .....	FERS or CSRS.
FERS .....	CSRS Offset .....	FERS or CSRS Offset.
FERS .....	Social Security-Only	FERS or Social Security-Only.

## Subpart E—Retirement Coverage Elections for Errors That Were Previously Corrected

### MOVED OUT OF CSRS OR CSRS OFFSET

#### § 839.501 What can I elect if my employer moved me out of CSRS or CSRS Offset?

If you were moved out of CSRS or CSRS Offset due to a qualifying retirement coverage error and were placed in FERS, you may elect CSRS Offset or remain in FERS. If you were moved out of CSRS or CSRS Offset due to a qualifying retirement coverage error and were placed in Social Security-Only, you may elect CSRS Offset or remain in Social Security-Only. This is summarized in the following chart:

You were in:	And your coverage was previously corrected to:	You may elect:
CSRS .....	FERS .....	CSRS Offset or FERS.
CSRS Offset .....	FERS .....	CSRS Offset or FERS.
CSRS .....	Social Security-Only	CSRS Offset or Social Security-Only.
CSRS Offset	Social Security-Only..	CSRS Offset or Social Security-Only..

#### § 839.511 What can I elect under the FERCCA if my employer put me into FERS by mistake and then I was not allowed to remain in FERS when the error was discovered?

An employee who was erroneously placed in FERS during a time when the employee should have had an opportunity to elect FERS is allowed to keep the erroneous FERS coverage. If the employee was given an opportunity to remain in FERS, then the employee is disqualified from making an election of retirement coverage under the FERCCA (see § 839.221). If you were not allowed to remain in FERS and were placed in CSRS due to a qualifying retirement coverage error, you may elect

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FERS or remain in CSRS. If you were not allowed to remain in FERS and were placed in CSRS Offset due to a qualifying retirement coverage error, you may elect FERS or remain in CSRS Offset. If you were not allowed to remain in FERS and were placed in Social Security-Only due to a qualifying retirement coverage error, you may elect FERS or remain in Social Security-Only. This is summarized in the following chart:

You were in:	And your coverage was previously corrected to:	You may elect:
FERS .....	CSRS .....	CSRS or FERS.
FERS .....	CSRS Offset .....	CSRS Offset or FERS.
FERS .....	Social Security-Only	Social Security-Only or FERS.

## Subpart F—Making an Election

### GENERAL PROVISIONS

#### § 839.601 How do I make an election?

You may make your election using the form issued by OPM. If you are an employee, your employer will provide you with this form. If you are not a current employee, OPM will provide the form.

#### § 839.602 What if I don't make an election?

(a) If your qualifying retirement coverage error was not previously corrected and you fail to make an election within the time limit under § 839.611(a), your retirement coverage is summarized in the following chart:

If you are in:	And you belong in:	You are considered to have elected:
CSRS or CSRS Offset.	FERS .....	CSRS Offset.
FERS .....	CSRS, CSRS Offset or Social Security-Only.	FERS.
CSRS or CSRS Offset.	Social Security-Only .....	CSRS Offset.

(b) If your qualifying retirement coverage error was previously corrected and you fail to make an election within the time limit under § 839.611(b), you are considered to have elected to remain in your current retirement plan.